

ORDINANCE NO. 100742

AN ORDINANCE AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF SAN ANTONIO, TEXAS TAXABLE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2005A IN A MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$22,500,000; AUTHORIZING THE CITY'S STAFF, CO-FINANCIAL ADVISORS, AND CO-BOND COUNSEL TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF SUCH OBLIGATIONS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council (the *Governing Body*) of the City of San Antonio, Texas (the *Issuer*) has determined that it is advisable and necessary to issue and sell one or more series of certificates of obligation (the *Certificates*) in an amount not to exceed \$22,500,000 as provided pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through 271.065, for the purpose of paying contractual obligations of the Issuer to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing improvements and renovations to existing municipal facilities, including the Alamodome, (2) acquiring, constructing, and renovating soccer playing fields and other related park facilities, along with making the necessary street and utility system infrastructure improvements at this soccer and sports complex, (3) purchasing materials, supplies, machinery, land, and rights-of-way for authorized needs and purposes relating to parks purposes and with respect to the Alamodome, and (4) the payment of professional services related to the construction and financing of the aforementioned projects; and

WHEREAS, the Certificates will be sold pursuant to a private placement with a financial institution; and

WHEREAS, prior to the issuance of the Certificates, the Governing Body is required to publish notice of its intention to issue the Certificates in a newspaper of general circulation in the Issuer, such notice stating (i) the time and place the Governing Body tentatively proposes to pass the ordinances authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued, (iv) and the manner in which the Governing Body proposes to pay the Certificates; and

WHEREAS, the Governing Body hereby finds and determines that such documents pertaining to the sale of the Certificates should be approved, and the Issuer should proceed with the giving of notice of intention to issue the Certificates in the time, form, and manner provided by law;

WHEREAS, the Governing Body hereby finds and determines that the adoption of this Ordinance is in the best interests of the citizens of the Issuer; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO THAT:

SECTION 1: The City Clerk is hereby authorized and directed to cause notice to be published of the Governing Body's intention to issue the Certificates in an amount not to exceed \$22,500,000 for the purpose of paying contractual obligations of the Issuer to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing improvements and renovations to existing municipal facilities, including the Alamodome, (2) acquiring, constructing, and renovating soccer playing fields and other related park facilities, along with making the necessary street and utility system infrastructure improvements at this soccer and sports complex, (3) purchasing materials, supplies, machinery, land, and rights-of-way for authorized needs and purposes relating to parks purposes and with respect to the Alamodome, and (4) the payment of professional services related to the construction and financing of the aforementioned projects. The Certificates will be payable from the levy of an annual ad valorem tax, within the limitations prescribed by law, upon all taxable property within the Issuer and additionally from a pledge of and lien on certain revenues derived from the operation of the Issuer's municipally owned parks. The notice hereby approved and authorized to be published shall read substantially in the form and content of Exhibit A attached hereto, which notice is incorporated herein by reference as a part of this Ordinance for all purposes.

SECTION 2: The City Clerk shall cause the notice described in Section 1 to be published in a newspaper of general circulation in the Issuer, once a week for two consecutive weeks, the date of the first publication shall be at least fifteen (15) days prior to the date stated therein for passage of the ordinances authorizing the issuance of the Certificates.

SECTION 3: The City Clerk is directed to maintain a copy of this Ordinance in the Issuer's official records in a manner that will allow any member of the general public to review this Ordinance during the normal business hours of the Issuer during the period beginning thirty (30) days after the adoption hereof and ending on the date of issuance of the Certificates.

SECTION 4: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Governing Body.

SECTION 5: All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

SECTION 6: This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7: If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Governing Body hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 8: It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject

matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 9: This Ordinance shall be in force and shall take effect on the tenth day after the date of its adoption by the Governing Body, and it is so ordained.

[The remainder of this page intentionally left blank.]

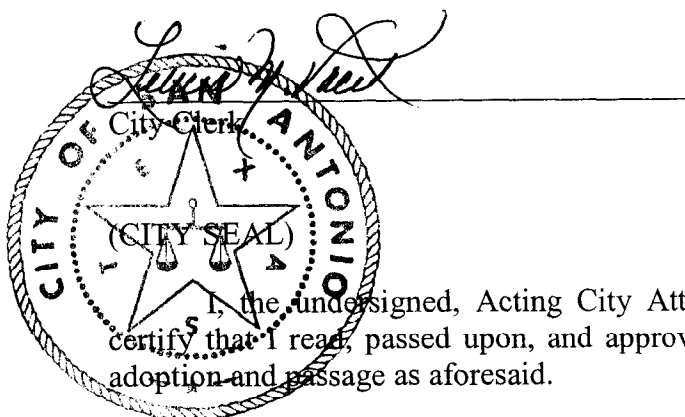
PASSED AND APPROVED, this the 21st day of April, 2005.

CITY OF SAN ANTONIO

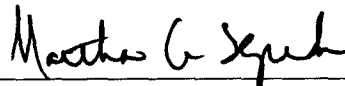


Mayor

ATTEST:



I, the undersigned, Acting City Attorney of the City of San Antonio, Texas, hereby certify that I read, passed upon, and approved as to form the foregoing Ordinance prior to its adoption and passage as aforesaid.



Martha Sepeda, Acting City Attorney
City of San Antonio, Texas

Agenda Voting Results

Name: 34.

Date: 04/21/05

Time: 03:12:48 PM

Vote Type: Multiple selection

Description: An Ordinance authorizing and approving publication of notice of intention to issue City of San Antonio, Texas Taxable Combination Tax and Revenue Certificates of Obligation, Series 2005A in a maximum principal amount not to exceed \$22,500,000; authorizing the City's staff, co-financial advisors, and co-bond counsel to take all actions deemed necessary in connection with the sale of such obligations; and providing for an effective date. [Presented by Milo D. Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5			x	
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8	Not present			
CARROLL SCHUBERT	DISTRICT 9			x	
CHIP HAASS	DISTRICT_10			x	
MAYOR ED GARZA	MAYOR		x		